

NB:CPK
F. #2004R01141

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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★ MAR 23 2010 ★

LONG ISLAND OFFICE

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UNITED STATES OF AMERICA

I N F O R M A T I O N

- against -

CR No. 10 221
(T. 26, U.S.C., § 7202;
T. 18, U.S.C., §§ 2 and
3551 et seq.)

SUKRU AKKAYA,

Defendant.

- - - - - X

THE UNITED STATES ATTORNEY CHARGES:

SEYBERT, J.

WALL, M.J.

I N T R O D U C T I O N

At all times relevant to this Information, unless
otherwise indicated:

1. The defendant SUKRU AKKAYA owned and operated Inci Corp, Ercat Corp, Cihad Corp, Emek Corp, Gulbahar Corp, Guler Ceyda II Inc., Kayla II Gas Corp, Servet Corp, Sinem Ozden Corp, U.S. Petroleum Express Corp., Umut Corp., Harun Can Corp., Zeynep Gas Corp., Ozge Gas Corp. and Ariana & Zehra (the "Gas Station Companies"), closely held corporations located in Nassau County and Suffolk County, New York. The Gas Station Companies operated gasoline stations in Nassau County and Suffolk County, New York.

2. Pursuant to Title 26 of the United States Code, employers, including the Gas Station Companies, were required to collect, withhold and pay over to the Internal Revenue Service ("IRS") Federal Insurance Contributions Act ("FICA") taxes, and to

file an Employer's Quarterly Federal Tax Return, Internal Revenue Service Form 941 ("Form 941"). FICA required the payment of taxes by employees and employers to fund various federal benefit programs, including Social Security and Medicare. As the owner and operator of the Gas Station Companies, the defendant SUKRU AKKAYA was required to collect, truthfully account for and pay over to the IRS FICA taxes that were due and owing.

WILLFUL FAILURE TO COLLECT AND PAY OVER TAXES

3. The allegations contained in paragraphs one and two are realleged and incorporated as if set forth fully in this paragraph.

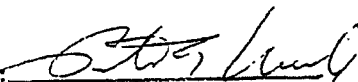
4. On or about July 16, 2004, within the Eastern District of New York and elsewhere, the defendant SUKRU AKKAYA, being the owner and operator of the Gas Station Companies, and thereby being required to collect, account for and pay over FICA taxes to the IRS, together with others, did knowingly and willfully fail to collect, account for and pay over to the IRS FICA taxes that were due and owing, when, knowing that FICA taxes were due for the second quarter of 2004, SUKRU AKKAYA filed Form 941s with the IRS for the Gas Station Companies showing reported wages of \$203,029 and FICA payroll taxes of \$31,454 when, in fact, SUKRU

3

AKKAYA knew that there were additional unreported wages of \$242,249 and an additional \$37,064 in FICA payroll taxes due.

(Title 26, United States Code, Section 7202; Title 18, United States Code, Sections 2 and 3551 et seq.)

BENTON J. CAMPBELL
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

BY: 
ACTING UNITED STATES ATTORNEY
PURSUANT TO 28 C.F.R. 0.136

SIR:

PLEASE TAKE NOTICE that the within will be presented for settlement and signature to the Clerk of the United States District Court in his office at the U.S. Courthouse, 610 Federal Plaza, Central Islip, New York, on the ___ day of ___, 20___, at 10:30 o'clock in the forenoon.

Dated: Central Islip, New York

___, 20___

United States Attorney,
Attorney for

To:

Attorney for

SIR:

PLEASE TAKE NOTICE that the within is a true copy of ___ duly entered herein on the ___ day of ___,

in the office of the Clerk of the Eastern District of New York,

Dated: Central Islip, New York

___, 20___

United States Attorney,
Attorney for

To:

Attorney for

Criminal Action No.

UNITED STATES DISTRICT COURT
Eastern District of New York

UNITED STATES OF AMERICA

- against-

SUKRU AKKAYA,

Defendant.

INFORMATION

BENTON J. CAMPBELL

United States Attorney
Eastern District of New York
United States Courthouse
610 Federal Plaza
Central Islip, New York 11722

Due Service of a copy of the within

is hereby admitted.

Dated: ___, 20___

Attorney for

Charles P. Kelly
Assistant U.S. Attorney (631)715-7866